

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:04-CR-204-BO-1
NO. 5:11-CV-228-BO

FILED

AUG 24 2011

DENNIS P. LAVARONE, CLERK
US DISTRICT COURT, EDNC
BY 

RICHARD STEVEN KEEN)
Petitioner,)
)
v.) O R D E R
)
UNITED STATES OF AMERICA,)
Respondent.)

In light of *United States v. Simmons*, No. 08-4475, 2011 WL 3607266 (4th Cir. Aug. 17, 2011) (en banc), the Petitioner is hereby **ALLOWED** to amend his Motion to Vacate, Set Aside, or Correct a Sentence under 28 U.S.C. § 2255 [DE 22] no later than thirty days from the date of this Order. The Government is **DIRECTED** to file an updated response to Petitioner's § 2255 Motion within 30 days from the date Respondent amends his § 2255 motion, or, in any event, within 60 days from the date of this Order.

IT IS SO ORDERED, this the 23 day of August, 2011.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE